

## **REMARKS**

Claims 1-19 were pending and have been cancelled. Claims 20-40 have been added. Accordingly, claims 20-40 are pending subsequent this amendment.

In the present Office Action, claims 5 and 15 stand rejected under 35 U.S.C. § 112, first paragraph, for lack of an enabling disclosure. In view of the newly submitted claims, this objection is rendered moot.

In the present Office Action, claims 1-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Noguchi, et al., U.S. Patent No. 6,163,345 (hereinafter "Noguchi"), in view of Hashimoto et al., U.S. Patent No. 5,931,905 (hereinafter "Hashimoto"). Applicant respectfully traverses the above rejections and submits each of claims 20-40 include features neither taught nor suggested by the cited art.

Independent claim 20 recites a method for responding to an e-mail message which includes "receiving an e-mail message addressed to a user; determining whether said message includes an indication that said message corresponds to a predetermined e-mail message type; in response to determining said message does not correspond to said predetermined type, presenting said message as a normal e-mail message; in response to determining said message does correspond to said predetermined type: formatting and presenting said message according to a first format, wherein said first format includes a main message and at least one selectable option said option being received in said received e-mail message; presenting information related to the option in response to detecting said option is selected; and determining whether a reply message identifying the selected option is to be transmitted."

In contrast to the above, none of the cited art teaches or suggests "determining whether said message includes an indication that said message corresponds to a predetermined e-mail message type" and in response thereto taking one of two different

actions, as recited above, as to how the message is to be handled and presented to the recipient. With respect to e-mail, Noguchi teaches a user interface which may provide access to electronic messages. In particular, Noguchi merely teaches:

“The system menu provides the user access to electronic mail messages through the messages box 1251. The mail icon informs the user that he has unread mail. In response to selection of the messages box 1251, the system provides a list of the user messages as shown in FIG. 12D. Upon selection of a message to read, the box displays the message as shown in FIG. 12E.” (Noguchi, col. 8, line 67 – col. 9, line 6).

Further, Hashimoto teaches that a received message may include a print permission flag indicating whether the message may be printed on the receiving side. For example, Hashimoto teaches:

“[A] print permission flag is provided for mail data, which is sent from the sending-side interactive television 10, the print permission flag having a portion for inhibiting printing. Mail data above is forwarded to a local response server, to which the receiver belongs, by using the mail function according to any one of the foregoing embodiments. A print inhibition flag is provided for mail data which is forwarded from the receiving-side local response server to the receiving-side interactive television 10, the print inhibition flag having a value of the print inhibition flag of mail data above. As a result of the above-mentioned structure, printing of the contents displayed on the TV screen can be inhibited. . . . If the receiver attempts to print the contents of the mail, the program controller 12 interprets printing in the case where the contents are not permitted to be printed. . . . mails of a type having a copyright and required not to be printed cannot be printed attributable to the print inhibition function.” (Hashimoto, col. 19, lines 42-63).

Accordingly, Hashimoto merely teaches a message may include an indication that it is not printable. In response to a receiver attempting to print a message, the indication may be checked in order to determine whether printing is permitted. As seen from the above, the motivation for such a print inhibiting feature is to protect those mail messages including a copyright which does not permit printing. Therefore, Hashimoto includes no

teaching or suggestion that “in response to determining said message does not correspond to said predetermined type, presenting said message as a normal e-mail message; in response to determining said message does correspond to said predetermined type: formatting and presenting said message according to a first format, wherein said first format includes a main message and at least one selectable option, said option being received in said received e-mail message; presenting information related to the option in response to detecting said option is selected; and determining whether a reply message identifying the selected option is to be transmitted.”

In view of the above, Applicant submits claim 20 is patentably distinguishable over the cited art. For similar reasons, claims 38 and 39 are believed patentable as well.

In addition to the above, other features of the recited claims are neither taught nor suggested by the cited art. For example, none of the cited art teach or suggest “in response to determining said message does correspond to said predetermined type: formatting and presenting said message according to a first format, wherein said first format includes a main message and at least one selectable option, said option being received in said received e-mail message.” Rather, Noguchi teaches displaying an a main menu which may include selectable options. However, Noguchi includes no teachings regarding formatting and presenting a received e-mail message as recited above. As cited by the examiner, Noguchi teaches:

At step 1005, if the display button is pressed, at step 1010 the channel banner is displayed. This channel banner is superimposed over the displayed broadcast to identify to the user such things as the current station, the program currently played, the start and end time of the program, as well as some additional information such as the current date and time. An exemplary display is shown in FIG. 11.

Referring back to FIG. 10, if the menu button is pressed, step 1015, the system retrieves and displays the main menu, step 1020, enabling the user to perform such functions on screen such as viewing different guides or lists, setting system functions, viewing attractions, and purchasing pay-per-view programs. The main menu has items which are arranged in the 3x3 matrix. The center item, shown in FIG. 12A, is

used to exit the menu. Other items enable the user to select guides or program lists. In addition the user can enter the system menu shown in FIG. 12B, or the user settings menu 1210 shown in FIG. 12C.

When the user initially enters the main menu 1201 the pointer is currently positioned at the center of the menu 1200 enabling the user to immediately exit the main menu 1201 if inadvertently entered. Once in this menu the user can select an item using the display cursor or highlight keys such as the up arrow and down arrow and right and left arrow keys on the remote controller, or by depressing one of the numeric keys which corresponds to the numeric identifier, e.g., identifier 1215 for the movie guide. This physically corresponds with the arrangement of the actual numeric keys on the remote controller. Furthermore, if an item has a submenu this is represented by a corresponding icon such as the icon 1220 for system menu 1250. It should be noted that when these menus are displayed, the menus are displayed superimposed over the current broadcasted station enabling the user to navigate through the menus to enable/disable certain functions or selection while still keeping the broadcast active and displayed in part.

The system menu selected through the main menu of FIG. 12A is shown in FIG. 12B. This menu 1250 functions similarly to the main menu through use of the arrow keys or direct selection of items by depressing a particular numeric value from the numeric keypad located on the remote control device. The system menu provides the user access to electronic mail messages through the messages box 1251. The mail icon informs the user that he has unread mail. In response to selection of the messages box 1251, the system provides a list of the user messages as shown in FIG. 12D. Upon selection of a message to read, the box displays the message as shown in FIG. 12E. FIG. 12C is illustrative of the custom setup menu shown in FIG. 12B, item 1255. Referring to FIG. 12C, through the the custom setup menu, the user can personalize guides and menus utilized when operating the broadcast system. For example, referring to FIG. 12C, the custom setup menu 1270 provides options such as the setting of favorite stations 1275, setting default language 1280, setting stations to skip when reviewing stations (skip stations) 1285, and setting locks to stations and limits on viewing 1290. The user also has the option of exiting the entire menu whereby the broadcast is completely displayed on the screen 1295, or going back to the system menu, FIG. 12B, 1297.

FIG. 12F is illustrative of the skip stations feature provided to the user. The user simply moves the system pointer to highlight a station, e.g., station 100, and depresses the selection button to select the station.

Thereafter, when scanning or "channel surfing" stations, the selected station(s) are skipped. Furthermore, it is preferred that the station guide (FIG. 14A) does not show skipped stations. In addition, it is preferred that the system provide a custom guide in the format similar to the Master Guide of FIG. 8, except that channel and program information are only displayed for non-skipped channels. The custom guide is accessed through the "other guides" item in the main menu. The custom guide is shorter because skipped station information is not displayed and unused areas due to the stations skipped are removed from the guide. Furthermore, the custom guide provides information regarding only those channels the user is interested in." (Noguchi, col. 8, line 25 – col. 9, line 33).

None of these teachings of Noguchi teach or suggest the above recited features. Still further, it is noted Hashimoto does not teach or suggest "formatting and presenting said message according to a first format, wherein said first format includes a main message and at least one selectable option, said option being received in said received e-mail message." Rather, while Hashimoto does teach an email system, Hashimoto does not include any teaching or suggestion for formatting and presenting a received message to include a main message and a selectable option where the selectable option is included in the received e-mail message. Hashimoto describes a number of (internal) data formats (e.g., see Figs. 7, 11 and 12) and methods of presentation (Figs. 10A-10B), but no teachings corresponding to the above recitation. As illustrated by Fig. 10B, Hashimoto teaches presenting received messages within a graphical user interface. The user interface may include standard options such as "NEXT MAIL" or "RETURN". However, these teachings of Hashimoto are easily distinguished from the above recitation as already discussed.

Finally, claim 31 recites a method including "creating an e-mail message, said message including: an indication said e-mail message corresponds to a predetermined e-mail message type of a plurality of e-mail message types; a main message; at least one selectable option; information related to the option, wherein the information is to be presented after the option has been presented and selected; and transmitting the e-mail message." As already discussed, none of the cited art teaches or suggests an e-mail

message which includes a selectable option. Therefore, claim 31 is also believed patentable.

Because each of the dependent claims include the limitations of the independent claims upon which they depend, dependent claims 21-30, 32-37, and 40 are believed patentable for at least the above reasons. In addition to the above, Applicant submits the dependent claims include additional features neither taught nor suggested by the cited art.

For example, claim 22 recites the additional feature "said received message includes programming code corresponding to said option, wherein said code includes a short option configured to describe said option in a brief manner, and said code includes a long option configured to describe said option in an extended manner" which is neither taught nor suggested by the cited art.

Claim 25 recites "the reply message is automatically generated and sent responsive to a single indication received from a viewer" which is neither taught nor suggested by the cited art.

Claim 29 recites "wherein the received message corresponds to an advertisement for a product or service, and wherein said reply message indicates an interest in the product or service by the user" which is neither taught nor suggested by the cited art.

**CONCLUSION**

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Conley, Rose, & Tayon, P.C. Deposit Account No. 501505/5266-05600/RDR.

Respectfully submitted,



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